

Attorney Docket No.: 20174C-012300US
Client Ref. No.: C112.210.US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Stephen R. QUAKE et al.

Application No.: 09/800,435

Filed: March 5, 2001

For: COMBINATIONAL ARRAY FOR NUCLEIC ACID ANALYSIS

Customer No.: 20350

Confirmation No. 2532

Examiner: Channing S. Mahaten

TC/AU: 1631

PETITION FOR REVIVAL OF UNINTENTIONALLY ABANDONED APPLICATION UNDER 37 C.F.R. § 1.137(b)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Applicants respectfully petition that the above-referenced application be revived.

This application was unintentionally abandoned for failure to respond to an Office Action mailed from the U.S. Patent Office on February 17, 2004.

Pursuant to 37 C.F.R. § 1.137(b), Applicants provide the following to accompany this Petition that the application be revived:

1. The required reply to the outstanding Office Action is filed herewith in the form of a concurrently filed continuation application (filed January 5, 2005).

01/11/2005 BABRAHA1 00000041 201430 09800435

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1500.00 DA

Application No.: Not yet assigned PATENT

Petition to Revive

Unintentionally Abandoned Application

Page 2

2. Authorization is hereby granted for withdrawal of the Petition fee set

forth in §1.17(m) of \$1,500.00;

3. The entire delay in filing the required Reply, from the due for the Reply

until the filing of this Petition, was unintentional;

4. As this Application was filed March 1, 2001, Applicants believe that no

Terminal Disclaimer is required. If the U.S. Patent Office believes that a Terminal

Disclaimer is warranted, the Patent Office is encouraged to contact Applicants'

undersigned representative at (650) 326-2400..

As Applicants have complied with all requirements of 37 C.F.R. § 1.137(b) for revival

of this unintentionally abandoned application, Applicants request the application be revived and

advanced to issuance.

CONCLUSION

If the Examiner believes a telephone conference would expedite prosecution of

this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,

Randolph Ted Apple

Reg. No. 36,429

TOWNSEND and TOWNSEND and CREW LLP

Two Embarcadero Center, Eighth Floor

San Francisco, California 94111-3834

Tel: 650-326-2400

Fax: 415-576-0300

Attachment

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PTO/SB/17 (10-04)	12

FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$)	1,500
(4)	1,000

		Complete if Known	
	Application Number	09/800,435	
	Filing Date	March 5, 2001	6
	First Named Inventor	Quake, Stephen R.	
	Examiner Name	Channing S. Mahaten	
	Art Unit	1631	
•	Attorney Docket No.	20174C-012300US	

METHOD OF PAYMENT (check all that apply)				FEE CALCULATION (continued)						
Check Credit Card Money Order Other None				3. ADDITIONAL FEES						
Deposit Account:		Larne	Large Entity Small Entity		Entity					
Deposit Account	20-1430			Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid	
Number				1051	130	2051	65	Surcharge - late filing fee or oath		
Deposit 1			1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.			
Account Name	Townsend and To	wnsend and Crew LLP		1053	130	1053	130	Non-English specification		
The Director is	authorized to: (check all t			1812	2,520	1812	2,520	For filing a request for ex parte reexamination		
			1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	,		
				1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action		
to the above-ide	FEE CALCU	II ATION		1251	110	2251	55	Extension for reply within first month		
		JEATION		1252	430	2252	215	Extension for reply within second month		
1. BASIC FI Large Entity	LING FEE Small Entity			1253	980	2253	490	Extension for reply within third month		
	Fee Fee Des	cription Fee	Paid	1254	1,530	2254	765	Extension for reply within fourth month		
	Code (\$)			1						
	2001 395 Utility fili			1255	2,080	2255	1,040	Extension for reply within fifth month		
	2002 175 Design f	-		1401	340	2401	170	Notice of Appeal		
	2003 275 Plant fili			1402	340	2402	170	Filing a brief in support of an appeal		
		filing fee		1403	300	2403	150	Request for oral hearing		
1005 160		nal filing fee		1451	1,510	1451	1,510	Petition to institute a public use proceeding		
	SUBTOTAL (1)	(\$)0		1452	110	2452	55 -	Petition to revive – unavoidable		
2. EXTRA C	LAIM FEES FOR UTI	LITY AND REISSUE		1453	1,330	2453	665	Petition to revive – unintentional	1500	
		· · · · · · · · · · · · · · · · · · ·		1501	1,370	2501	685	Utility issue fee (or reissue)		
	Extra Claims	Fee from below Fee P	aid	1502	490	2502	245	Design issue fee		
Total Claims	-20** = 0	x\$50 = \$0		1503	660	2503	330	Plant issue fee		
<u> </u>				1460	130	1460	130	Petitions to the Commissioner		
Independent Claims	-3** = 0	x\$200 = \$0		1807	50	1807	50	Processing fee under 37 CFR 1.17(q)		
Multiple L		X E	\dashv	1806	180	1806	180	Submission of Information Disclosure Stmt		
Dependent Large Entity	Small Entity			8021	40	8021	40	Recording each patent assignment per property (times number of properties)		
Fee Fee	Fee Fee	Fee Description		1809	790	2809	395	Filing a submission after final rejection (37 CFR § 1.129(a))		
Code (\$) 1202 18	Code (\$) 2202 9	Claims in excess of 20		1810	790	2810	395	For each additional invention to be		
1201 88		Independent claims in excess		4004	700	0004	205	examined (37 CFR § 1.129(b))		
1203 300		Multiple dependent claim, if n ** Reissue independent claim	•	1801	790	2801	395	Request for Continued Examination (RCE)		
1204 88 1205 18	2204 44	over original patent ** Reissue claims in excess o		1802	900	1802	900	Request for expedited examination of a design application		
1200 10	2205 9	and over original patent		Other fe	e (specify)	-)				
	SUBTOTAL	. (2) (\$)0		l.,						
**or number prev	iously paid, if greater; For Re	issues, see above		Reduc	ed by Basi	c Hiling F	ee Paid	SUBTOTAL (3) (\$)1500		

SUBMITTED BY		Complete (if applicable)				
Name (Print/Type)	Randolph Ted Apple	Registration No. (Attorney/Agent)	36,429	Telephone	650-326-2400	
Signature	Rice			Date 1/5/2005		

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